

(1) make cost-share grants for preservation of the Route 66 corridor available for resources that meet the guidelines under subsection (a); and

(2) provide information about existing cost-share opportunities.

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$10,000,000 for the period of fiscal years 2000 through 2009 to carry out the purposes of this Act.

### FERC LICENSING OF HYDRO-ELECTRIC PROJECTS ON FRESH WATERS IN HAWAII

The bill (S. 334) to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 334

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PROJECTS ON FRESH WATERS IN THE STATE OF HAWAII.

Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended in the first sentence by striking "several States, or upon" and inserting "several States (except fresh waters in the State of Hawaii, unless a license would be required under section 23), or upon".

### WELLTON-MOHAWK TRANSFER ACT

The bill (S. 356) to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 356

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be referred to as the "Wellton-Mohawk Transfer Act".

#### SEC. 2. TRANSFER.

The Secretary of the Interior ("Secretary") is authorized to carry out the terms of the Memorandum of Agreement No. 8-AA-34-WAO14 ("Agreement") dated July 10, 1998 between the Secretary and the Wellton-Mohawk Irrigation and Drainage District ("District") providing for the transfer of works, facilities, and lands to the District, including conveyance of Acquired Lands, Public Lands, and Withdrawn Lands, as defined in the Agreement.

#### SEC. 3. WATER AND POWER CONTRACTS.

Notwithstanding the transfer, the Secretary and the Secretary of Energy shall provide for and deliver Colorado River water and Parker-Davis Project Priority Use Power to the District in accordance with the terms of existing contracts with the District, including any amendments or supplements thereto or extensions thereof and as provided under section 2 of the Agreement.

#### SEC. 4. SAVINGS.

Nothing in this Act shall affect any obligations under the Colorado River Basin Salin-

ity Control Act (Public Law 93-320, 43 U.S.C. 1571).

#### SEC. 5. REPORT.

If transfer of works, facilities, and lands pursuant to the Agreement has not occurred by July 1, 2000, the Secretary shall report on the status of the transfer as provided in section 5 of the Agreement.

#### SEC. 6. AUTHORIZATION.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

### MINUTEMAN MISSILE NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 1999

The bill (S. 382) to establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 382

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Minuteman Missile National Historic Site Establishment Act of 1999".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Minuteman II intercontinental ballistic missile (referred to in this Act as "ICBM") launch control facility and launch facility known as "Delta 1" and "Delta 9", respectively, have national significance as the best preserved examples of the operational character of American history during the Cold War;

(2) the facilities are symbolic of the dedication and preparedness exhibited by the missileers of the Air Force stationed throughout the upper Great Plains in remote and forbidding locations during the Cold War;

(3) the facilities provide a unique opportunity to illustrate the history and significance of the Cold War, the arms race, and ICBM development; and

(4) the National Park System does not contain a unit that specifically commemorates or interprets the Cold War.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations the structures associated with the Minuteman II missile defense system;

(2) to interpret the historical role of the Minuteman II missile defense system—

(A) as a key component of America's strategic commitment to preserve world peace; and

(B) in the broader context of the Cold War; and

(3) to complement the interpretive programs relating to the Minuteman II missile defense system offered by the South Dakota Air and Space Museum at Ellsworth Air Force Base.

#### SEC. 3. MINUTEMAN MISSILE NATIONAL HISTORIC SITE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Minuteman Missile National Historic Site in the State of South Dakota (referred to in this Act as the "historic site") is established as a unit of the National Park System.

(2) COMPONENTS OF SITE.—The historic site shall consist of the land and interests in land

comprising the Minuteman II ICBM launch control facilities, as generally depicted on the map referred to as "Minuteman Missile National Historic Site", numbered 406/80,008 and dated September, 1998, including—

(A) the area surrounding the Minuteman II ICBM launch control facility depicted as "Delta 1 Launch Control Facility"; and

(B) the area surrounding the Minuteman II ICBM launch control facility depicted as "Delta 9 Launch Facility".

(3) AVAILABILITY OF MAP.—The map described in paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) ADJUSTMENTS TO BOUNDARY.—The Secretary of the Interior (referred to in this Act as the "Secretary") is authorized to make minor adjustments to the boundary of the historic site.

(b) ADMINISTRATION OF HISTORIC SITE.—The Secretary shall administer the historic site in accordance with this Act and laws generally applicable to units of the National Park System, including—

(1) the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461 et seq.).

(c) COORDINATION WITH HEADS OF OTHER AGENCIES.—The Secretary shall consult with the Secretary of Defense and the Secretary of State, as appropriate, to ensure that the administration of the historic site is in compliance with applicable treaties.

(d) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with appropriate public and private entities and individuals to carry out this Act.

(e) LAND ACQUISITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may acquire land and interests in land within the boundaries of the historic site by—

(A) donation;

(B) purchase with donated or appropriated funds; or

(C) exchange or transfer from another Federal agency.

(2) PROHIBITED ACQUISITIONS.—

(A) CONTAMINATED LAND.—The Secretary shall not acquire any land under this Act if the Secretary determines that the land to be acquired, or any portion of the land, is contaminated with hazardous substances (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)), unless, with respect to the land, all remedial action necessary to protect human health and the environment has been taken under that Act.

(B) SOUTH DAKOTA LAND.—The Secretary may acquire land or an interest in land owned by the State of South Dakota only by donation or exchange.

(f) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date funds are made available to carry out this Act, the Secretary shall prepare a general management plan for the historic site.

(2) CONTENTS OF PLAN.—

(A) NEW SITE LOCATION.—The plan shall include an evaluation of appropriate locations for a visitor facility and administrative site within the areas depicted on the map described in subsection (a)(2) as—

(i) "Support Facility Study Area—Alternative A"; or

(ii) "Support Facility Study Area—Alternative B".

(B) NEW SITE BOUNDARY MODIFICATION.—On a determination by the Secretary of the appropriate location for a visitor facility and administrative site, the boundary of the historic site shall be modified to include the selected site.

(3) COORDINATION WITH BADLANDS NATIONAL PARK.—In developing the plan, the Secretary shall consider coordinating or consolidating appropriate administrative, management, and personnel functions of the historic site and the Badlands National Park.

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

(b) AIR FORCE FUNDS.—

(1) TRANSFER.—The Secretary of the Air Force shall transfer to the Secretary any funds specifically appropriated to the Air Force in fiscal year 1999 for the maintenance, protection, or preservation of the land or interests in land described in section 3.

(2) USE OF AIR FORCE FUNDS.—Funds transferred under paragraph (1) shall be used by the Secretary for establishing, operating, and maintaining the historic site.

(c) LEGACY RESOURCE MANAGEMENT PROGRAM.—Nothing in this Act affects the use of any funds available for the Legacy Resource Management Program being carried out by the Air Force that, before the date of enactment of this Act, were directed to be used for resource preservation and treaty compliance.

### ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS

The Senate proceeded to consider the bill (S. 422) to provide for Alaska state jurisdiction over small hydroelectric projects, which has been reported from the Committee on Energy and Natural Resources, with an amendment on page 4, line 23, to insert the word “not” between “are” and “located.”

The amendment was agreed to.

The bill was considered, ordered to be engrossed for a third reading, read the third time and passed; as follows:

S. 422

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

#### “SEC. 32. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.

“(a) DISCONTINUANCE OF REGULATION BY THE COMMISSION.—Notwithstanding sections 4(e) and 23(b), the Commission shall discontinue exercising licensing and regulatory authority under this Part over qualifying project works in the State of Alaska, effective on the date on which the Commission certifies that the State of Alaska has in place a regulatory program for water-power development that—

“(1) protects the public interest, the purposes listed in paragraph (2), and the environment to the same extent provided by licensing and regulation by the Commission under this Part and other applicable Federal laws, including the Endangered Species Act (16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

“(2) gives equal consideration to the purposes of—

“(A) energy conservation;

“(B) the protection, mitigation of damage to, and enhancement of, fish and wildlife (including related spawning grounds and habitat);

“(C) the protection of recreational opportunities;

“(D) the preservation of other aspects of environmental quality;

“(E) the interests of Alaska Natives; and

“(F) other beneficial public uses, including irrigation, flood control, water supply, and navigation; and

“(3) requires, as a condition of a license for any project works—

“(A) the construction, maintenance, and operation by a licensee at its own expense of such lights and signals as may be directed by the Secretary of the Department in which the Coast Guard is operating, and such fishways as may be prescribed by the Secretary of the Interior or the Secretary of Commerce, as appropriate;

“(B) the operation of any navigation facilities which may be constructed as part of any project to be controlled at all times by such reasonable rules and regulations as may be made by the Secretary of the Army; and

“(C) conditions for the protection, mitigation, and enhancement of fish and wildlife based on recommendations received pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) from the National Marine Fisheries Service, the United States Fish and Wildlife Service, and State fish and wildlife agencies.

“(b) DEFINITION OF ‘QUALIFYING PROJECT WORKS’.—For purposes of this section, the term ‘qualifying project works’ means project works—

“(1) that are not part of a project licensed under this Part or exempted from licensing under this Part or section 405 of the Public Utility Regulatory Policies Act of 1978 prior to the date of enactment of this section;

“(2) for which a preliminary permit, a license application, or an application for an exemption from licensing has not been accepted for filing by the Commission prior to the date of enactment of subsection (c) (unless such application is withdrawn at the election of the applicant);

“(3) that are part of a project that has a power production capacity of 5,000 kilowatts or less;

“(4) that are located entirely within the boundaries of the State of Alaska; and

“(5) that are not located in whole or in part on any Indian reservation, a conservation system unit (as defined in section 102(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102(4))), or segment of a river designated for study for addition to the Wild and Scenic Rivers System.

“(c) ELECTION OF STATE LICENSING.—In the case of nonqualifying project works that would be a qualifying project works but for the fact that the project has been licensed (or exempted from licensing) by the Commission prior to the enactment of this section, the licensee of such project may in its discretion elect to make the project subject to licensing and regulation by the State of Alaska under this section.

“(d) PROJECT WORKS ON FEDERAL LANDS.—With respect to projects located in whole or in part on a reservation, a conservation system unit, or the public lands, a State license or exemption from licensing shall be subject to—

“(1) the approval of the Secretary having jurisdiction over such lands; and

“(2) such conditions as the Secretary may prescribe.

“(e) CONSULTATION WITH AFFECTED AGENCIES.—The Commission shall consult with the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Com-

merce before certifying the State of Alaska's regulatory program.

“(f) APPLICATION OF FEDERAL LAWS.—Nothing in this section shall preempt the application of Federal environmental, natural resources, or cultural resources protection laws according to their terms.

“(g) OVERSIGHT BY THE COMMISSION.—The State of Alaska shall notify the Commission not later than 30 days after making any significant modification to its regulatory program. The Commission shall periodically review the State's program to ensure compliance with the provisions of this section.

“(h) RESUMPTION OF COMMISSION AUTHORITY.—Notwithstanding subsection (a), the Commission shall reassert its licensing and regulatory authority under this Part if the Commission finds that the State of Alaska has not complied with one or more of the requirements of this section.

“(i) DETERMINATION BY THE COMMISSION.—

“(1) Upon application by the Governor of the State of Alaska, the Commission shall within 30 days commence a review of the State of Alaska's regulatory program for water-power development to determine whether it complies with the requirements of subsection (a).

“(2) The Commission's review required by paragraph (1) shall be completed within one year of initiation, and the Commission shall within 30 days thereafter issue a final order determining whether or not the State of Alaska's regulatory program for water-power development complies with the requirements of subsection (a).

“(3) If the Commission fails to issue a final order in accordance with paragraph (2), the State of Alaska's regulatory program for water-power development shall be deemed to be in compliance with subsection (a).”

### COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY

The bill (H.R. 171) to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

H.R. 171

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended—

(1) in subsection (b)(1), by striking “\$1,000,000” and inserting “\$4,000,000”; and

(2) in subsection (c), by striking “five” and inserting “10”.

### SUDBURY, ASSABET, AND CONCORD WILD AND SCENIC RIVER ACT

The bill (H.R. 193) to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System, was considered, ordered to a third reading, read the third time, and passed.

H.R. 193

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sudbury, Assabet, and Concord Wild and Scenic River Act”.